

# EXHIBIT 3

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

PLANNED PARENTHOOD FEDERATION  
OF AMERICA, INC.; PLANNED  
PARENTHOOD LEAGUE OF  
MASSACHUSETTS; and PLANNED  
PARENTHOOD ASSOCIATION OF UTAH,

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., in his official  
capacity as SECRETARY OF THE U.S.  
DEPARTMENT OF HEALTH AND  
HUMAN SERVICES; U.S. DEPARTMENT  
OF HEALTH AND HUMAN SERVICES;  
MEHMET OZ, in his official capacity as  
ADMINISTRATOR OF THE CENTERS  
FOR MEDICARE & MEDICAID  
SERVICES; and CENTERS FOR  
MEDICARE & MEDICAID SERVICES,

Defendants.

Case No. \_\_\_\_\_

**DECLARATION OF SHIREEN GHORBANI IN SUPPORT OF PLAINTIFFS'  
EMERGENCY MOTION FOR A TEMPORARY RESTRAINING ORDER AND  
PRELIMINARY INJUNCTION**

I, Shireen Ghorbani, declare as follows:

1. I am the Interim President of Planned Parenthood Association of Utah (PPAU), a role in which I have served since April 2025. PPAU is an independently incorporated nonprofit organization that has provided health care services in Utah for more than fifty years. PPAU provides comprehensive sexual and reproductive health care at six health centers in the State of Utah.

2. As the Interim President of PPAU, I oversee health care operations, education and advocacy and am responsible for our organizational budget and ensuring that Utahns have access to high quality affordable health care. Through this role, I am familiar with PPAU's operations and health care services, including PPAU's patient demographics and revenue.

3. Prior to serving as the Interim President of PPAU, I served as the Chief Corporate Affairs Officer at PPAU from 2023 to 2025. Before joining PPAU, I worked as a director of community health for the largest regional health care provider in the intermountain west with a focus on reducing Utah's uninsured population. I am a former Salt Lake County Councilmember and served in the United States Peace Corps. I have a Master of Arts degree in Communication Studies from the University of Nebraska-Lincoln, and a Master of Philosophy in Organizational Communication and Policy from the University of Utah.

4. I am familiar with Section 71113 of An Act to provide for reconciliation pursuant to title II of H. Con. Res. 14 (the "Defund Provision"). I understand that this provision prevents Planned Parenthood members around the country from receiving reimbursements for any health care services they provide to patients through the Medicaid program.

5. PPAU's patient population includes patients with low incomes who otherwise may lack access to affordable, high-quality sexual and reproductive health care, including patients who rely on Medicaid for health insurance. In 2024, PPAU provided health care services to 2,096 patients through the Medicaid program.

6. The Defund Provision will cause immediate and irreparable harm to PPAU and its patients. As discussed below, the Defund Provision forces PPAU to stop seeking Medicaid reimbursements. As a result of losing the ability to seek Medicaid reimbursement, PPAU has already started turning away patients who cannot pay for care without reimbursement from

Medicaid. Most of those patients will be unable to privately pay PPAU for our services or find affordable, high-quality sexual and reproductive health care at other providers in their area. The loss of hundreds of thousands of dollars in Medicaid revenue each year will likely force PPAU to lay off full-time staff, limit the health care services it provides, and potentially close health centers as a result.

7. I am over the age of eighteen and have personal knowledge of the matters herein or have acquired such knowledge by personally examining business records kept in the normal course of business by PPAU. If called upon to testify, I could and would testify competently to the facts in this declaration.

#### **I. PPAU's Organization & Services**

8. PPAU is a 501(c)(3) nonprofit organization organized under the laws of the State of Utah, with its principal office located in Salt Lake City, Utah. All six of PPAU's health centers are essential community providers under 45 C.F.R. § 156.235 and are primarily engaged in family planning services, reproductive health care, and related medical care.

9. PPAU is an independently organized corporation with its own chief executive officer, board of directors, bylaws, management, and staff. PPAU employs 106 staff members who handle the day-to-day operations of PPAU's health centers and educational services.

10. Founded in 1970, PPAU's mission is to empower Utahns of all ages to make informed choices about their sexual health and to ensure access for Utahns to affordable, quality sexual and reproductive health care and education. As part of that mission, PPAU established the Planned Parenthood Action Council of Utah, a separately incorporated nonprofit organization tax-exempt under section 501(c)(4) to engage in education, advocacy, and limited electoral activities, in furtherance of PPAU's mission.

11. PPAU operates six health centers located in Ogden, Orem, Salt Lake City (which has two health centers), South Jordan, and West Valley City. PPAU also offers some types of care through telehealth. PPAU provides a full range of sexual and reproductive health services, including well-person preventative care visits; breast exams; pap tests; sexually transmitted infection (“STI”) testing and treatment; a wide range of U.S. Food and Drug Administration (“FDA”)-approved contraception methods, including highly effective, long-acting reversible contraceptives; pregnancy testing; vaccines; risk assessments for pregnant patients to screen for high-risk issues; referral services for pregnant patients; urinary tract infection treatment; cervical cancer and testicular cancer screening; colposcopy; fertility awareness services; vasectomies; and abortions. All of PPAU’s health centers generally offer same-day appointments and walk-in availability, and two of PPAU’s health centers generally offer weekend and evening hours.

12. PPAU currently provides abortions at its two health centers in Salt Lake City—the Metro Health Center and Salt Lake Health Center.

13. In 2024, PPAU provided health care to nearly 30,000 patients through more than 44,000 total visits to its health centers, including 19,341 birth control pills, 2,278 implantations of intrauterine devices (IUDs), 12,303 pregnancy tests, 89 vasectomies, 1,592 pap smears, and 2,676 abortions.

14. PPAU also provides comprehensive education about sexual and reproductive health. Through its research-based educational programs, PPAU works to provide all Utahns with the accurate, reliable information they need to make responsible decisions and to stay healthy. In 2024, PPAU’s educators reached 5,106 individuals throughout Salt Lake County, Utah County, and Summit County.

15. To better serve its mission, PPAU is a member of Planned Parenthood Federation of America (“PPFA”), a 501(c)(3) organization that provides support to Planned Parenthood members nationwide. PPAU pays annual dues to PPFA to maintain its membership. As a member of PPFA, PPAU receives the right to use the Planned Parenthood name and service mark and participate in programs organized by PPFA. PPAU’s membership in PPFA helps PPAU serve its core mission. PPFA lends valuable advice and technical support in areas including clinical research, compliance with the medical standards and guidelines, revenue management, development, public affairs, communications, and expanding access to sexual and reproductive health care. In addition, because only providers who meet PPFA’s stringent accreditation standards are permitted to use the Planned Parenthood name, patients know that they can trust Planned Parenthood members such as PPAU for expert, nonjudgmental care.

## **II. PPAU’s Role as a Medicaid-Enrolled Provider**

16. Like all other eligible Planned Parenthood members throughout the country, PPAU is a Medicaid-enrolled provider. PPAU provides health care to patients who rely on Medicaid for health insurance and seeks reimbursement from Medicaid funds for the provision of eligible health care services.

17. PPAU’s patient population includes patients with low incomes who otherwise may lack access to affordable, high-quality sexual and reproductive health care, including patients who rely on Medicaid for health insurance. In 2024, 61% of the patients served by PPAU had no insurance, 6% relied on public insurance, and 32% relied on private insurance. Approximately half of PPAU’s patients live at or below the federal poverty line. Four of PPAU’s health centers are in communities classified by the federal government as Primary Care Health Professional

Shortage Areas (“HPSAs”). Our Utah Valley Health Center is also in a community classified as a Medically Underserved Area/Population.

18. PPAU does not limit the number of Medicaid patients it serves. Of the nearly 30,000 patients PPAU served in 2024, 2,096 were Medicaid-enrolled patients. In federal fiscal year 2023, PPAU received \$706,251.02 in Medicaid reimbursements.

### **III. The Defund Provision Will Irreparably Harm PPAU and Its Patients**

19. It is critical that PPAU be allowed to continue to seek reimbursement for health care it provides to patients through the Medicaid program. Core to PPAU’s mission is its ability to serve patients with low incomes and from marginalized communities, who may otherwise lack access to affordable, high-quality sexual and reproductive health care. Providing health care to patients through the Medicaid program—which primarily serves low-income individuals and families—is a key part of PPAU’s fulfillment of that mission.

20. Even though PPAU did not receive more than \$800,000 in Medicaid payments in federal fiscal year 2023, which is one of the criteria listed for being a “prohibited entity” under the Defund Provision, I understand that the Defund Provision could be construed to prohibit PPAU from receiving Medicaid reimbursements due to PPAU’s association with PPFA and other Planned Parenthood members. Because of this possibility, and the potential risk of liability arising therefrom, PPAU has had no choice but to stop seeking Medicaid reimbursement upon the law’s enactment.

21. Because PPAU’s health centers cannot afford to provide health care services free of charge, patients will no longer be able to receive health care services through the Medicaid program at PPAU’s health centers if the Defund Provision is not prevented from going into effect.

PPAU has already had to turn away Medicaid patients who had appointments in its health centers on Saturday, July 5.

22. Many of PPAU's Medicaid-enrolled patients will likely be unable to find another provider of affordable, high-quality sexual and reproductive health care in their area, much less one that sees Medicaid patients. For instance, patients in Orem and Ogden have few options in their area other than PPAU's health centers for affordable, high-quality sexual and reproductive health care. Even those of PPAU's patients who can find another provider of affordable, high-quality sexual and reproductive health care may nonetheless be subject to significant wait times before receiving that care.

23. PPAU's Medicaid-enrolled patients will also be harmed by losing access to their chosen provider. Patients come to PPAU because they know they will receive affordable, high-quality sexual and reproductive health care in a safe, affirming environment without facing stigma, shame, or unnecessary barriers to care. PPAU's patients have trusting relationships with their providers, who they rely on for critical and often life-saving health care. PPAU's Medicaid-enrolled patients will be harmed if they are forced to immediately stop seeking care at their chosen health care provider and to instead search for a new provider elsewhere, or not be able to obtain care at all.

24. In addition to the harm to PPAU's patients, PPAU will also be immediately and irreparably harmed by the Defund Provision. In federal fiscal year 2023, PPAU received \$706,251.02 in Medicaid reimbursements. If PPAU can no longer receive reimbursements for the health care it provides to patients through the Medicaid program, PPAU will lose hundreds of thousands of dollars of revenue on average each year. This loss in revenue will force PPAU to lay off full-time staff, limit the health care services it provides, and potentially close health centers as



a result. When the federal government began to withhold Title X disbursements from PPAU on March 31, 2025, this withholding constituted approximately \$2.8 million annually (twenty percent of PPAU's overall annual revenue). As a result of this withholding, PPAU was forced to lay off eighteen full-time staff members (approximately twenty percent of PPAU's staff) and to close two health centers (approximately twenty percent of its health centers). I anticipate that PPAU will similarly have to make proportionate cuts to its health centers and staff if it cannot seek Medicaid reimbursements.

25. PPAU also recently implemented a workflow to connect uninsured patients to health insurance navigators to assist eligible patients through the process of enrolling in the Medicaid program in an attempt to serve more patients through that program. Through the implementation of this workflow, PPAU had expected to see the number of patients it serves through the Medicaid program grow, and consequently had also expected to receive more Medicaid reimbursements on average. The Defund Provision will prevent PPAU and the patients it serves from seeing the expected benefits of this workflow.

#### **IV. Injunction Bond**

26. PPAU, a nonprofit organization, would be incapable of posting a bond in the amount of the federal funds it receives without severely curtailing its services and compromising its organizational mission. If PPAU were required to post an injunction bond, it would be foreclosed from pursuing judicial relief.

I declare under penalty of perjury that the foregoing is true and correct. Executed on  
July 7, 2025.



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Shireen Ghorbani

July 7, 2025

Date